

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

RUDOLPH WHITE; ROBERT COX; KENLEY  
EXUME; LESLIE GOOD; GIUSEPPE  
BARLETTA; COMMONWEALTH SECOND  
AMENDMENT, INC.; FIREARMS POLICY  
COALITION, INC. and SECOND  
AMENDMENT FOUNDATION,

Plaintiffs,

V.

MICHAEL COX, in his official capacity as Police  
Commissioner of The City of Boston,

Defendants.

CIVIL ACTION NO.  
1:23-cv-12031-IT

## STATUS REPORT

On September 5, 2024, this Court granted the Plaintiffs’ Assented-To Motion to Continue the scheduling order deadlines (Dkt. No. 17) and vacated the then-pending deadlines for dispositive briefing, to be “reset, if necessary, at a status conference or through a revised scheduling order,” and further ordered that the parties either file a stipulation of dismissal or request a further status conference on or before October 18, 2024 (Dkt. No. 23). Also on September 5, 2024, the Court granted the Motion of Raymond M. DiGuiseppe for Leave to Appear Pro Hac Vice as counsel on behalf of the Plaintiffs (Dkt. No. 24). Since then, the parties have communicated via email and teleconference for purposes of attempting to negotiate a full and final resolution of the matter that would avoid the need for further litigation. To that end, Plaintiffs have prepared and sent Defendants’ counsel a written set of terms and conditions as a proposed settlement agreement, with the understanding that Defendants’ counsel will confer with

Defendants and respond in the very near future regarding their position as to the proposal and any modifications or revisions of the same that they may seek to obtain through further negotiations.

Plaintiffs' counsel contacted Defendants' counsel by email on Wednesday and today, and also by phone today, in an effort to make this status report a joint submission. Plaintiffs' counsel did not receive a response before the close of business today. Thus, Plaintiffs make this report unilaterally but believe the report accurately represents the current state of affairs.

Plaintiffs further request that the dispositive briefing deadlines remain vacated and that the Court allow the parties another four weeks, up to and including November 15, 2024, in which to make the appropriate filing or otherwise report back to the Court. By that time, the parties should be prepared to file a stipulation of dismissal if the matter can be fully resolved, request to reset dispositive briefing deadlines if the matter cannot be resolved, or request additional time to finalize a settlement should the matter be resolved and the parties simply need additional time to finalize the settlement. Based on the communications with Defendants' counsel to date, Plaintiffs believe this request is consistent with what Defendants' counsel would also request for purposes of facilitating the ongoing efforts to reach a mutually satisfactory resolution of the case.

Respectfully submitted,

Dated: October 18, 2024

/s/ Raymond M. DiGuiseppe  
Raymond M. DiGuiseppe\*  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 18th day of October 2024, this Status Report was served, by electronic delivery to all parties through their Counsel of Record via the CM/ECF system which will forward copies of the same to Counsel of Record.

/s/ Raymond M. DiGuiseppe  
Raymond M. DiGuiseppe